

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF COMCAST PHONE OF)
CENTRAL INDIANA LLC FOR) CAUSE NO. 43621 INT 01
ARBITRATION OF AN INTERCONNECTION)
AGREEMENT WITH TRI-COUNTY) PREHEARING CONFERENCE
TELEPHONE CO., INC. D/B/A TDS TELECOM) ORDER
AND TIPTON TELEPHONE COMPANY D/B/A)
TDS TELECOM PURSUANT TO SECTION 252)
OF THE FEDERAL COMMUNICATIONS ACT)
OF 1934, AS AMENDED, AND APPLICABLE)
STATE LAWS)

BY THE COMMISSION:

Larry S. Landis, Commissioner

Lorraine Hitz-Bradley, Administrative Law Judge

On December 18, 2008, Petitioner Comcast Phone of Central Indiana, LLC ("Petitioner" or "Comcast") filed its petition with the Indiana Utility Regulatory Commission ("Commission") in this matter.

Pursuant to notice and as provided for in 170 I.A.C. § 1-1.1-15, a Prehearing Conference in this Cause was scheduled for January 13, 2009 in the IURC Conference Center, Judicial Courtroom 224, National City Center, 101 West Washington Street, Indianapolis, Indiana at 9:30 a.m. EDT. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Counsel for the Petitioner and Tri-County Telephone Co., Inc. d/b/a TDS Telecom and Tipton Telephone Company d/b/a TDS Telecom ("TDS") advised the Presiding Officers that they had a conflict and were appearing in another matter before the Commission. Therefore, the parties advised that they would submit a written schedule to the Presiding Officers. No members of the general public appeared at the time of the scheduled prehearing.

On January 29, 2009, the parties submitted a *Agreed Upon Proposed Procedural Schedule* in this matter. Having reviewed the parties' proposed schedule, the Commission hereby adopts the proposed schedule and makes these findings part of the record of these proceedings:

1. **Parties' Prefiling Date.** The Parties should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before March 6, 2009. Copies of same should be served upon all parties of record.

2. **Parties' Rebuttal Prefiling Date.** The Parties should prefile with the Commission their respective prepared rebuttal testimony on or before April 23, 2009. Copies of same should be served upon all parties of record.

3. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, the cases-in-chief of the Parties and any Intervenors should be presented in the Indiana Utility Regulatory Commission Conference Center, Suite 220, Judicial Courtroom 224 at the National City Center, 101 West Washington Street, Indianapolis, Indiana at 9:30 a.m. EDT on May 7, 2009. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, the parties should present their respective prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses. If the parties reach settlement, the agreement should be submitted to the Commission five (5) business days prior to the Evidentiary Hearing.

4. **Proposed Orders.** The parties shall file their respective proposed order on or before June 4, 2008, and shall file exceptions to each others' proposed orders on or before July 9, 2009.

5. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding should be made under oath or affirmation. In accordance with 170 I.A.C. § 1-1.1-18(h), if the prefiled testimony of a witness is to be offered into evidence at the Evidentiary Hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the Evidentiary Hearing, the prefiled testimony should be accompanied by the witness' sworn affidavit or written verification at the time the evidence is offered into the record.

6. **Discovery.** Discovery is available for all parties. Any response or objection to a discovery request should be made within ten (10) business days of the receipt of such request. The parties have agreed to both electronic and U.S. mail service. The first round of discovery commenced on January 23, 2009 and the second round of discovery will commence on March 10, 2009.

7. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party should concurrently file copies of the work papers used to produce that evidence. Copies of same should also be provided to any other party requesting such in writing. When submitting workpapers to the Commission, two (2) copies of each document should be filed with the Secretary of the Commission.

8. **Number of Copies/Corrections.** With the exception of work papers, the parties should file with the Commission an original and five (5) copies of all prefiled testimony and exhibits. Any corrections to prefiled testimony should be made in writing as soon as possible after discovery of the need to make such corrections. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies use both sides of the paper.

9. **Intervenors.** Any party permitted to become an Intervenor in this Cause should be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 I.A.C. 1-1.1-11.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

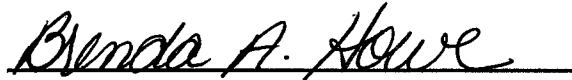
1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

2. This Order shall be effective on and after the date of its approval.

HARDY, GOLC, LANDIS, SERVER AND ZIEGNER CONCUR:

APPROVED: MAR 11 2009

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



Brenda A. Howe

Secretary to the Commission